

**R E M A R K S**

Further to the Amendment filed on July 2, 2007, submitted herewith is a Terminal Disclaimer with respect to commonly owned USP 7,103,140 to obviate the obviousness-type double patenting rejection of claims 1-9 in view of claims 1-19 of USP 7,103,140.

It is respectfully pointed out that although claims 1-9 were provisionally rejected based on obviousness-type double patenting as being unpatentable in view of claims 1-22 of "copending" application Serial No. 10/719,332, USP 7,103,140 issued from application Serial No. 10/719,332. Therefore, application Serial No. 10/719,332 is not "copending" and the provisional rejection in view of application Serial No. 10/719,332 is not proper.

Accordingly, it is respectfully requested that the obviousness-type double patenting rejections of claims 1-9 in view of USP 7,103,140 and application Serial No. 10/719,332 corresponding thereto be withdrawn.

In view of the foregoing and the Amendment filed on July 2, 2007, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the

undersigned at the telephone number given below for prompt  
action.

Respectfully submitted,

/Douglas Holtz/

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